Meeting Minutes
November 2015
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FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Embassy Suites Orlando- North
225 Shorecrest Drive
Altamonte Springs, FL 32701
407.834.2400

November 10, 11-13, 2015

MEETING MINUTES
Unapproved

Board Members Present
Roy Lenois, Chair
William “Brian” Cathey
Christopher Cobb
James Evetts, Vice Chair
Mary Layton
Robert Moody
Albert Korelishn
William Sheehan
Andrew Allocco
Aaron Boyette
Mark Pietanza
Jacqueline Watts
Edward Weller

Board Members Absent
Hector Castro
Keith Lawson II
Jason Wolf
Richard Kane- partial absence

Others Present
Dan Biggins, Executive Director, DBPR
Amanda Wynn, Government Analyst, DBPR
Aimee Odom, Government Analyst, DBPR
Brian Lynch, Regulatory Consultant, DBPR
Douglas Dolan, Legal Advisor, AGO
Rachel Clark, Legal Advisor, AGO
Ian Brown, Prosecuting Attorney, DBPR
Daniel Brackett, Assistant Attorney, DBPR
Mark Miller, Assistant Attorney, DBPR
ADDITIONAL BUSINESS ENTITIES REVIEW

Division II Board members met for Additional Business Entities Review on November 11, 2015 from 2:01 – 3:22pm. Mr. Pietanza led the meeting. Of the 21 applications on the agenda, 11 were approved, 4 were continued, 1 was approved contingent, 2 were denied, and 3 were withdrawn.

APPROVED (11)
Anderson, Robbie L.
Bates, Steven E.
Friedlander, Mitchell B.
Gray, Gary D.
Kirkland, David L.
Mallwitz, John C.
Nobles, Arthur W. II
Pfannkuch, William C.
Pittman, Timothy M.
Rodriguez, Andrew M.
Scannell, Buddy

CONTINUED (4)
Chils, Amado- 90 day continuance
Jagat, Christine- 60 day continuance
Rodriguez-Miro, Camilo N.- 60 day continuance
Scannell, Buddy- 60 day continuance

CONTINGENT (1)
Gray, Gary D.

DENIED (2)
Joyce, James R
Moss, James E

WITHDRAWN (3)
Ammons, Mika R.
Bomar, Stacy L.
Granda, Omar L.

Division I Board members met for Additional Business Entities Review on November 12, 2015, from 1:51 – 4:13 pm. Mr. Boyette led the meeting. Of the 57 applications on the agenda, 30 were approved, 9 were continued, 8 were contingent, 8 were denied, 1 was withdrawn and 1 was pulled.

APPROVED (30)
Brewer, Jacob W.
Burns, Robert L. Sr.
Carbon, Nikolaus R.
Carlson, Griff B.
Dechabert, Alexandre P.
Di-Maggio, Sergio
Egger, Richard H. III
Elias, Maria P.
Gibbons, Robert W.
Goff, Rawsom M.
Gorman, Michael P.
Hechlik, Scott A.
Herrmann, Werner
Hynes, Helen P.
Kimmel, Robert C.
King, Gloria A.
McCall, Carson T.
Naranjo, Luis F.
Perry III, Donald R.
Pons, Mario A.
Progl, Michael J.
Raider, Michael G.
Ramirez, Gustavo A.
Rodriguez, Andrew M.
Rodriguez, Ismael
Saad, Samuel J.
Salinas, Gabriela
Sosa Jr., Ranulfo
Suttles, Anthony W.
Young Sr., James V.

CONTINUED (9)
Cantin, Rene M.- 90 day continuance
Couts, James O.- 180 day continuance
Heitz, Howard J.- 60 day continuance
Homitz, Craig A.- 60 day continuance
Oquendo, Keisy- 60 day continuance
Paige, Scott W.- 60 day continuance
Raab, Michael L.- 60 day continuance
Rojas, Nestor A.- 120 day continuance
Searcy Jr., Howard L.- 60 day continuance

CONTINGENT (8)
Arce, Manuel
Frechette, Dennis P.
Lanigan, Michael C.
McCullough, Charles A.
Serrano, Miguel A.
Tarpell, Alan J.
Wheeler, Gregory A.
Yagmin, Michael

DENIED (8)
Alvarez, Reynaldo L.
APPLICATION REVIEW

Division II Board members met for Application Review on November 11, 2015, from 3:39 – 5:19pm. Mr. Cobb led the meeting. Of the 38 applications on the agenda, 18 were approved, 5 were continued, 1 was approved contingent, 7 were denied, and 8 were withdrawn.

APPROVED (18)
Adams, Chandler R.
Crandall, Andrew P.
Favero, Craig G.
Gillon, Andrew T.
Harris, Zhalman A.
Hasle, Sean T.
Hatcher, Daniel J.
Holmes, Shawn M.
James, Eric L.
Justice, John B.
Laatsch, Scott M.
Lyons, Bradley D. – downgrade to Residential Pool/Spa Servicing
Mahoney Jr., James B.
Salvo, Ryan E.
Santana, Samuel H.
Tracey, Mary Jo H.- downgrade to pool/spa servicing
Yoder, Nathaniel P.

CONTINUED (5)
Courtney, Samuel E.- 60 day continuance
Diaz, Jorge L.- 60 day continuance
Ierna II, Ronald F.- 90 day continuance
Musser, Ronald J.- 90 day continuance
Vanhoose, Carl W.- 60 day continuance

CONTINGENT (1)
Smith, Shannon F.
DENIED (7)
Alfaro Jr., Pedro H.
Bandez, Edrik J.
Carman, Kenneth R.
MacDonald, Robert
Maxwell, Peter A.
Mosley, Ernest E.
Porta Jr., Jose C.

WITHDRAWN (8)
Cabral, Dagoberto
Gripor, Guy
Guthrie, Mark C.
Hughes, Christopher V.
Lascano, Heather L.
Topchiev, Krassen I.
Tseng, Carlos
West, Amanda E.

Division II voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Application Review on November 12, 2015, from 4:26–6:22pm. Mr. Evetts led the meeting. Of the 39 applications on the agenda, 12 were approved, 11 were continued, 1 was approved contingent, 8 were denied, 1 was withdrawn and 5 were pulled.

APPROVED (12)
Canino, Robert F.- tower specialty license
Carman, Kenneth R.
Engelken, Walter R.
Garcia, Jose L.
Gorke, Gary G.- downgrade to residential
Goulish, Andrew J.
Pecoraro, Brian A.
Rivas, Nelzay S.
Rossi, John D.
Seabrook, John
Simonovski, Vladimir F.
Valdes, Jorge E.

CONTINUED (11)
Bartholomew, Richard N.- 180 day continuance
Bartholomew, Richard N.- 180 day continuance
Cavalier, John E.- 180 day continuance
Greenen, Chris P.- 180 day continuance
Horn, Robert J.- 60 day continuance
Jennings, Robyn L.- 90 day continuance
Miller, Kyle D.- 60 day continuance
Shulman, Mitchell C.- 180 day continuance
Swenson, Kristian L.- 90 day continuance
Tate, John R.- 90 day continuance  
Torres, Daniel L.- 180 day continuance

CONTINGENT (1)
Patterson, William L.

DENIED (8)
Hendriks Jr., Leslie P.
Louis, Michael B.
Moore Jr., Clifford L.
Parker, Paul W.
Perez, Gabriel A.
Poerio Jr., Frank T.
Rose, Kevin T.
Silva, Helio T.

WITHDRAWN (1)
Taylor, Terrance J.

PULLED (5)
Bolen, Chuck P.
Loftin, Michael K.
Malpass, Jeffery D.
Malpass, Jeffery D.
Malpass, Jeffery D.

Division I voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Final Action on November 12, 2015, from 8:38am–10:50am. Mr. Evetts led the meeting.

Case #(s): 2013046823, 2014042036
ROBERT CAPOZZOLI
License #(s): CGC16657
1860 NW BOCA RATON BLVD.
BOCA RATON, FL 33432
Voluntary Relinquishment  
Pay administrative fines in the amount of $7,000 and costs of $695.54
Not Present

Case #(s): 2013046794
JAMES LUTHER CONNERS
License #(s): CBC1253711
901 8TH AVENUE W
PALMAETTO, FL 34221
Refered to DOAH
Present w/ Counsel present at hearing
Case #(s): 201400397
JAMES LUTHER CONNERS
License #(s): CBC1253711
901 8TH AVENUE W
PALMAETTO, FL 34221
Referred to DOAH
Present w/ Counsel present at hearing

Case #(s): 2013044217
JAMES LUTHER CONNERS
License #(s): CBC1253711
901 8TH AVENUE W
PALMAETTO, FL 34221
Referred to DOAH
Present w/ Counsel present at hearing

Case #(s): 2014045665
JAMES LUTHER CONNERS
License #(s): CBC1253711
901 8TH AVENUE W
PALMAETTO, FL 34221
Referred to DOAH
Present w/ Counsel present at hearing

Case #(s): 2014043875
ERIC MARTIN LANGER
License #(s): CGC5442
6301 TOWER LANE, UNIT 2
SARASOTA, FL 34240
Revocation
Restitution in the amount of $41,744.00
Pay administrative fines in the amount of $13,000 and costs of $292.84
Not Present at hearing

Case #(s): 2014047498
ERIC MARTIN LANGER
License #(s): CGC5442
6301 TOWER LANE, UNIT 2
SARASOTA, FL 34240
Revocation
Restitution in the amount of $7,313.00
Pay administrative fines in the amount of $20,000 and costs of $63.72
Not Present at hearing

Case #(s): 2014025373
ERIC MARTIN LANGER
License #(s): CGC5442
6301 TOWER LANE, UNIT 2
SARASOTA, FL 34240
Revocation
Restitution in the amount of $4,204.00
Pay administrative fines in the amount of $5,000 and costs of $61.61
Not Present at hearing

Case #(s): 2014012968
ERIC MARTIN LANGER
License #(s): CGC5442
6301 TOWER LANE, UNIT 2
SARASOTA, FL 34240
Revocation
Pay administrative fines in the amount of $10,000 and costs of $661.07
Not Present at hearing

Case #(s): 2014037959
ERIC MARTIN LANGER
License #(s): CGC5442
6301 TOWER LANE, UNIT 2
SARASOTA, FL 34240
Revocation
Restitution in the amount of $20,000.00
Pay administrative fines in the amount of $20,000 and costs of $304.34
Not Present at hearing

Case #(s): 2013042955
DAVID FISHER
License #(s): CBC58143
2509 LAKE ELLEN LANE
TAMPA, FL 33618
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $2,500 and costs of $218.41
Present w/ Counsel present at hearing

Case #(s): 2013042964
DARREN KENETH MCDORMAN
License #(s): CGC50833
4591 HWY 20 E. #201
NICEVILLE, FL 32578
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $500.00 and costs of $330.59
Present at hearing

Case #(s): 2014042713
DAVID LAWRENCE PADRON
License #(s): CGC59449, CGC151289
15643 MESSINA ISLES COURT
DELRAY BEACH, FL 33446
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $1,750 and costs of $590.14
Present w/ Counsel present at hearing

Case #(s): 2014041641
FELIX R. CHARLEMAGNE
License #(s): CGC1510928, CGC1522961
P.O. BOX 832144
OCALA, FL 34483
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $1,500 and costs of $29.98
Counsel Present at hearing

Case #(s): 2015014765
BERNARD AMENGUAL
License #(s): CGC3704
3851 NW 12TH TERRACE
MIAMI, FL 33126
Revocation
Pay administrative fines in the amount of $20,000 and costs of $441.85
Present w/ translator present at hearing

Case #(s): 2015008920
BERNARD AMENGUAL
License #(s): CGC3704
3851 NW 12TH TERRACE
MIAMI, FL 33126
Revocation
Pay administrative fines in the amount of $13,500 and costs of $453.55
Present w/ translator present at hearing

Case #(s): 2015006532
BERNARD AMENGUAL
License #(s): CGC3704
3851 NW 12TH TERRACE
MIAMI, FL 33126
Revocation
Pay administrative fines in the amount of $20,000 and costs of $403.31
Present w/ translator present at hearing
Case #(s): 2014036489
BERNARD AMENGUAL
License #(s): CGC3704
3851 NW 12TH TERRACE
MIAMI, FL 33126
Revocation
Pay administrative fines in the amount of $10,000 and costs of $744.61
Present w/ translator present at hearing

Case #(s): 2015021207
MICHEL SOULARD
License #(s): CGC1508321
1201 18TH STREET
POMPANO BEACH, FL 33069
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $5,000 and costs of $199.44
Not Present at hearing

Case #(s): 2013044312
CLAYTON CASLER
License #(s): CRC015064
1691 N.E. 95TH STREET
ANTHONY, FL 32617
Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $5,000 and costs of $361.73
Not Present at hearing

Case #(s): 2015002309
ALFREDO VEGA
License #(s): CGC14027
7740 LASALLE BLVD.
MIRAMAR, FL 33023
Restitution in the amount of $3,200.00
Probation for 4 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $8,500 and costs of $95.26
Not Present at hearing

Case #(s): 2014027883
RODNEY CHARLES ROWLAND
License #(s): CBC1257930
1142 WOODLAND TERRACE TRAIL
ALTAMONTE SPRINGS, FL 32714
Restitution in the amount of $27,420.18
Probation for 6 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $12,500 and costs of $937.1
Present at hearing
Case #(s): 2015002459  
BRUCE RYNEARSON JR.  
License #(s): CRC1329212  
5025 MORTIER AVENUE  
ORLANDO, FL 32812  
PULLED

Case #(s): 2014041834  
ROBERT ALLEN MALE  
License #(s): CBC1251676  
6141 CALIBER COURT  
NEW PORT RICHEY, FL 34655  
Probation for 4 years  
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.  
Pay administrative fines in the amount of $2,000 and costs of $487.28  
Present at hearing

Case #(s): 2014031023  
GARY BERNHART  
License #(s): CGC25759  
7700 SW 114 STREET  
MIAMI, FL 33156  
Dismissed  
Present w/ counsel present at hearing

Case #(s): 2014014674  
JAMES RICH, JR.  
License #(s): CBC1256247  
1219 ROBERT KING HIGH DRIVE  
LAKELAND, FL 33805  
Pay administrative fines in the amount of $250 and costs of $441.85  
Present w/ Counsel present at hearing

Division I & II Board members met for Final Action on November 12, 2015, from 10:50am–11:07am. Mr. Evetts and Mr. Lenois led the meeting.

Case #(s): 2014027754  
ANDREW JOSEPH KLEINBERGER  
License #(s): CGC61507, CCC1327195  
4277 EXCHANGE AVENUE, UNIT-1  
NAPLES, FL 34104  
Probation for 2 years  
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.  
Pay administrative fines in the amount of $5,000 and costs of $472.05  
Not Present

Case #(s): 2014041023  
KARLA BELLO  
License #(s): CGC1516792, CCC1328030
Case #(s): 2013018538
WILLIAM FRASER
License #(s): FRO5357
367 COLUMBUS STREET
SEBASTIAN, FL 32958
Voluntary Relinquishment
Restitution in the amount of $2,750
Pay administrative fines in the amount of $5,000 and costs of $399.38
Not Present

Case #(s): 2014040531
JUSTIN CODY JONES
License #(s): CGC1518648, CFC1428287, RC29027383, RR282811613
29750 66TH WAY N.
CLEARWATER, FL 33761
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $500 and costs of $444.81
Present

Case #(s): 2014049297
RICHARD ROSAIRE ROUTHIER
License #(s): SCC131150484, SCC56694
108 LAKE AVENUE, #403
LAKE WORTH, FL 33460
Probation for 6 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $5,000 and costs of $85.02
Present w/ Counsel

Division II Board members met for Final Action on November 12, 2015, from 11:15am– 12:02am.
Mr. Lenois led the meeting.

Case #(s): 2014002440
MICHAEL LEE HENDERSON
License #(s): CCC1327250
217 WALTON WAY
MIRAMAR BEACH, FL 32550
Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $3,000 and costs of $391.99
Not Present

Case #(s): 2014039201, 2015007290, 2015007291, 2015012451
DANIEL HILTON MATHESIUS
License #(s): CVC56863
Probation for 6 years

Case #(s): 2014035000
NOLAN E. LINE
License #(s): CAC1816139
6441 19TH STREET E, STE. B1
SARASOTA, FL 34243
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $2,500 and costs of $263.64

Not Present

Case #(s): 2013047062
MICHAELJEFFREY BLOODWORTH
License #(s): CVC56912
P.O. BOX 3504
MILTON, FL 32572
PULLED

Case #(s): 2013042415
GEORGE JAMES MUSGRAVE
License #(s): CAC36817
12427 FLORIDA AVENUE
TAMPA, FL 33612
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $1,250 and costs of $450.30
Present w/ Counsel

Case #(s): 2015014668
RONALD BOYRSKEWICH BOYD
License #(s): CAC043852
2460 HIGHLANDS RD.
PUNTA GORDA, FL 33983
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $1,000 and costs of $252.88
Not Present

Case #(s): 2015013148
PAUL MANKE
License #(s): CPC1458396
4519 SE 16TH PL., STE. 101
CAPE CORAL, FL 33904
Voluntary Relinquishment
Restitution in the amount of $14,000.00
Pay administrative fines in the amount of $100,000.00 and costs of $1,903.69
Not Present
Case #(#s): 2015011057
PAUL MANKE
License #(#s): CPC1458396
4519 SE 16TH PL., STE. 101
CAPE CORAL, FL 33904
Voluntary Relinquishment
Restitution in the amount of $23,700.00
Not Present

Case #(#s): 2015016635
PAUL MANKE
License #(#s): CPC1458396
4519 SE 16TH PL., STE. 101
CAPE CORAL, FL 33904
Voluntary Relinquishment
Restitution in the amount of $15,000.00
Not Present

Case #(#s): 2015018392
PAUL MANKE
License #(#s): CPC1458396
4519 SE 16TH PL., STE. 101
CAPE CORAL, FL 33904
Voluntary Relinquishment
Restitution in the amount of $1,000
Not Present

Case #(#s): 2015021744
PAUL MANKE
License #(#s): CPC1458396
4519 SE 16TH PL., STE. 101
CAPE CORAL, FL 33904
Voluntary Relinquishment
Restitution in the amount of $23,000
Not Present

Case #(#s): 2014018832
JAMES RANDOLPH GIBSON
License #(#s): CPC1457846
398 E DANIA BEACH BLVD. #297
DANIA BEACH, FL 33004
Continued to January 2016

Case #(#s): 2015001666
JAMES LEE UNDERWOOD
License #(#s): CCC1325827
1150 GULFPORT RD SE
PALM BAY, FL 32909
90 day continuance
Present

Case #s: 2014009271, 2014030349, 2015001044, 2015002323, 2012010484
LIOR MOSHE POYASTRO
License #s: CAC 1815656, CAC1817029
11060 MINNEAPOLIS DRIVE
COOPER CITY, FL 33026
Probation for 6 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $12,000 and costs of $570.42
Not Present

Case #s: 2015-009895
RONALD WELSH, II
License #s: CAC1815011
177 North US Highway One, Apt. 226
Tequesta, FL 33469
Revocation
Pay administrative fines in the amount of $30,000 and costs of $516.87
Not Present

PROBATION

Division II Board Members convened for Probation on November 12, 2015 from 12:02pm – 12:03pm. Mr. Korelishn led the meeting.

MOSLEY, DREXEL CAC1818016
Results: Satisfactory

Division I Board Members convened for Probation on November 12, 2015 from 1:07pm – 1:33pm. Mr. Sheehan led the meeting.

BRUST, JASON, SCC131151486
Results: Satisfactory

BURNS, BRIAN, CGC020464
Results: Satisfactory

CARTER CLIFFORD, SCC131151438
Results: Satisfactory

D’AMICO, PATRICK, CGC061281
Results: Satisfactory

GADSDEN, DARRELL, CBC1254324
Results: Satisfactory

KARTEN, KEVIN, CGC061616
Results: Satisfactory
GENERAL SESSION

The meeting was called to order by Roy Lenois, at 8:46am. Mr. Lenois gave the Invocation. Mr. Lenois led the Pledge of Allegiance.

EXECUTIVE DIRECTOR’S REPORT – Daniel Biggins

Mr. Biggins gave the following report: CILB Complaint Summary

Mr. Biggins requested the Board excuse the following absences:
- Keith Lawson
- Hector Castro
- Jason Wolf
- Rick Kane- partial absence

The Board voted unanimously to excuse the above absences.

Mr. Biggins also welcomed Brian Lynch as the new Regulatory Consultant for the Recovery Fund. OPS employment forms and opt out forms are due after this meeting. Mr. Biggins would like to recognize Mr. Aaron Futch from the Governor’s Office who is observing the Board. ULA will need a transfer of $1 million. Mr. Biggins thanked the members of the Board for their service this year.

With nothing further to report the board voted unanimously to approve this report.

CHAIRMAN’S REPORT – Roy Lenois
Mr. Lenois announced that the new Board Chair for 2016 will be Mr. Evetts, and the Board Vice Chair will be Mr. Cobb.

With nothing further to report the board voted unanimously to approve this report.

PROSECUTING ATTORNEY’S REPORT – KYLE CHRISTOPHER

Mr. Christopher gave the following report: No Report given due to technical difficulties.

ATTORNEY GENERAL’S REPORT – Douglas Dolan

KEVIN CRAMER – REQUEST FOR INFORMAL HEARING

Mr. Cramer was present.

Mr. Dolan presented this case stating Mr. Cramer’s application for a Certified General Contractors’ license denied at the August 2015 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in September of 2015. Mr. Cramer timely requested board reconsideration.

After discussion, the Board voted to grant the applicant a 60 day continuance.

LARRY CURVIN – REQUEST FOR INFORMAL HEARING

Mr. Curvin was not present.

Mr. Dolan presented this case stating Mr. Curvin’s application for a Certified Class A Air Conditioning Contractors’ license denied at the January 2015 meeting of the Board for failure to demonstrate that he had passed an examination that is substantially equivalent to the required Florida certification examination. The Notice of Intent to Deny was filed in February of 2015. Mr. Curvin timely requested board reconsideration.

After discussion, the Board voted to grant the applicant a 60 day continuance.

RANDAL EASTWOOD – REQUEST FOR INFORMAL HEARING

Mr. Eastwood was not present, counsel was present

Mr. Dolan presented this case stating that Mr. Eastwood’s application for a Certified Roofing Contractors’ license denied at the July 2015 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statute, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in August of 2015. Mr. Eastwood timely requested board reconsideration. At the hearing, the applicant requested that the Notice of Intent to Deny be vacated and that he be allowed to withdraw his application.

After discussion, the Board voted to grant the request to withdraw the application and vacated the Notice of Intent to Deny.
MICHAEL FIALKA – RECONSIDERATION OF INFORMAL HEARING

Mr. Fialka was present

Mr. Dolan presented this case stating Mr. Fialka’s application for a Certified Building Contractor’s license, was previously reviewed and considered at the August 2015 meeting of the Board. The application was denied for failure to demonstrate the required experienced, pursuant to section 489.111, Florida Statute, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in September of 2015. Mr. Fialka timely requested board reconsideration.

After discussion, the board voted to vacate the denial and approve the application.

GERAL FIELSTRA – REQUEST FOR INFORMAL HEARING

Mr. Fielstra was present.

Mr. Dolan presented this case stating Mr. Fielstra’s application for a Certified Building Contractor’s license, was previously reviewed and considered at the September 2015 meeting of the Board. The application was denied for failure to demonstrate the required experienced, pursuant to section 489.111, Florida Statute, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in October of 2015. Mr. Fielstra timely requested board reconsideration.

After discussion, the Board voted to vacate the Notice of Intent to Deny, and approve the application.

BRADLEY FOSTER – REQUEST FOR INFORMAL HEARING

Mr. Foster was not present.

Mr. Dolan presented this case stating Mr. Foster’s application for a change of status for a Registered Pool/Spa Servicing Contractors’ license was denied at the July 2015 meeting of the Board for failure to sufficiently demonstrate financial stability, as required by Florida Statute 489.115, and Rule 61G4-15.006, Florida Administrative Code.. The Notice of Intent to Deny was filed in August of 2015. Mr. Foster timely requested board reconsideration.

After discussion, the board voted to grant the applicant a 60 day continuance.

GREG GARCIA – REQUEST FOR INFORMAL HEARING

Mr. Garcia was not present.

Mr. Dolan presented this case stating Mr. Garcia’s application for a Certified General Contractors’ license was denied at the June 2015 meeting of the Board due to failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001 Florida Administrative Code, and failure to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in July 2015. Mr. Garcia timely requested board reconsideration.

After discussion, the Board voted to uphold the denial
PABLO RAUL GARCIA – REQUEST FOR INFORMAL HEARING

Mr. Garcia was present.

Mr. Dolan presented this case stating Mr. Garcia’s application to qualify Lumar Grading LLC, as an additional business was denied at the August 2015 meeting of the Board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code and the applicant failed to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in September of 2015. Mr. Garcia timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approve the application contingent upon providing the Department with proof that he is a w-2 employee of Lumar Grading, LLC within 60 days from the date of the filing of the Final Order.

JOHN GUSTI – REQUEST FOR INFORMAL HEARING

Mr. Gusti was present w/ counsel

Mr. Dolan presented this case stating Mr. Gusti’s application for a Certified Roofing Contractor’s license was denied at the June 2015 meeting of the Board for failure to demonstrate required experience, pursuant to Florida Statute 489.111 and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2015. Mr. Gusti timely requested board reconsideration.

After discussion, the Board voted to uphold the denial

MARK HICKINBOTHAM – PETITION FOR DECLARATORY STATEMENT

Mr. Hickinbotham was present.

Mr. Dolan presented this case stating that Mr. Hickinbotham filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board whether a biotracking filter odor control unit a pressure vessel, whether installation of pressure vessels on the jobsite as described in the petition can be performed with a class A or B HVAC contractor’s license, whether installation of pressure vessels on the jobsite can be performed with a mechanical contractor’s license, and whether a General Contractor can subcontract the assembling and installation of pressure vessels to a properly licensed Florida contractor.

After discussion, the board voted to decline to answer due to the questions posed by petitioner do not regard the applicability of statutory provisions, rules, or orders over which the agency has authority, and because the questions posed are answered in statutes and do not require a declaratory statement as to applicability.

MARK HICKINBOTHAM – PETITION FOR DECLARATORY STATEMENT

Mr. Hickinbotham was present.
Mr. Dolan presented this case stating that Mr. Hickinbotham filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board whether the work to install the duct, tube or conduit for conveying air as described in the petition is considered ductwork, whether installing ductwork that is not part of an interior HVAC system as described in subsection 61G4-12.011(14), F.A.C., requires a licensed Florida contractor, whether the work to furnish and install ductwork on the jobsite as described in the petition can be performed with a class A or B HVAC contractor’s license, whether the work to furnish and install ductwork on the jobsite be performed with a mechanical contractor’s license, and whether a General Contractor must subcontract the ductwork.

After discussion, the board voted to decline to answer due to the petition not relating to a particular set of circumstances, and because the questions posed are answered in the statute and do not require a declaratory statement as to applicability.

MARK HICKINBOTHAM – PETITION FOR DECLARATORY STATEMENT

Mr. Hickinbotham was present.

Mr. Dolan presented this case stating that Mr. Hickinbotham filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board whether, if an owner hires and contracts with a licensed Division I contractor, the owner or the contractor is ultimately responsible to ensure that all contractors and subcontractors are properly licensed, or whether the permitting agency issuing the permits is responsible.

After discussion, the board voted to decline to answer due to the questions posed by petitioner do not regard the applicability of statutory provisions, rules, or orders over which the agency has authority, and because the questions posed are answered in statutes and do not require a declaratory statement as to applicability.

MARK HICKINBOTHAM – PETITION FOR DECLARATORY STATEMENT

Mr. Hickinbotham was present.

Mr. Dolan presented this case stating that Mr. Hickinbotham filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board whether the work to furnish and install an emergency fixture (eyewashes and eyewash showers), floor drain or floor drain p-trap requires a Florida plumbing contractor’s license, whether the work to furnish and install potable water and piping from fixtures to 5’ outside the structure requires a Florida plumbing contractor’s license, whether the work to install the drain, waste and vent piping from the plumbing fixture to 5’ outside the structure as defined herein requires a plumbing contractor licensed in Florida, and whether a General Contractor must subcontract the aforementioned plumbing work to a properly licensed Florida plumbing contractor.

After discussion, the board voted to decline to answer due to the questions posed are answered in statutes and do not require a declaratory statement as to applicability.

MARK HICKINBOTHAM – PETITION FOR DECLARATORY STATEMENT

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Mr. Hickinbotham was present.

Mr. Dolan presented this case stating that Mr. Hickinbotham filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board whether the temporary sewage piping work as described in the petition is considered part of the “Main Sanitary Sewer Collection System” as defined in subsection 61G4-12.011(4), F.A.C., whether the work to furnish and install above or below ground temporary sewage piping onsite as described in the petition has to be performed by a Florida licensed contractor, whether the work to furnish and install temporary sewage piping onsite as described in the petition can be performed by a Florida licensed plumbing contractor, an underground utility and excavation contractor, or a general contractor, and whether sewer systems described in the petition exempt from licensing under 489.103(6), F.S.

After discussion, the board voted to decline to answer due to the questions posed are answered in statutes and do not require a declaratory statement as to applicability.

Michael Jones – Petition for Declaratory Statement

Mr. Jones was not present.

Mr. Dolan presented this case stating that Mr. Jones filed a petition for Declaratory Statement on September 21, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board what licensing requirements are to perform athletic field construction in Florida.

After discussion, the board voted to decline to answer due to the questions posed are answered in statute and do not require a declaratory statement as to applicability.

Kent Kolovich – Petition for Variance & Waiver

Mr. Kolovich was present.

Mr. Dolan presented this case stating that Mr. Kolovich filed a petition for Variance or Waiver on September 18, 2015. The petition was noticed in the Florida Administrative Register on October 5, 2015. Mr. Dolan noted the petitioner asks the Board for a variance from or a waiver of four year duration of validity of examination scores due to personal and economic circumstances.

After discussion, the Board voted to deny the petition because the Petitioner has not shown how application of the rule creates a substantial hardship or violates principles or fairness.

Hiroki Kurenuma – Request for Informal Hearing

Mr. Kurenuma was not present.

Mr. Dolan presented this case stating Mr. Kurenuma's application for a Certified Plumbing Contractor's license was denied at the August 2015 meeting of the Board for failure to demonstrate required experience, pursuant to Florida Statute 489.119. The Notice of Intent to Deny was filed in September of 2015. Mr. Kurenuma timely requested board reconsideration.
After discussion, the Board voted to grant a 60 day continuance

NICK MASTOS – REQUEST FOR INFORMAL HEARING

Mr. Kent was present.

Mr. Dolan presented this case stating Mr. Mastos’ application for a Certified Class A Air Conditioning Contractor's license by grandfathering was denied at the June 2015 meeting of the Board for failure to demonstrate that he had passed an examination that is substantially equivalent to the required Florida certification examination. The Notice of Intent to Deny was filed in July of 2015. Mr. Mastos timely requested board reconsideration.

After discussion, the Board voted to uphold the denial

SHANE MCCAWLEY – REQUEST FOR INFORMAL HEARING

Mr. McCawley was present w/ counsel

Mr. Dolan presented this case stating Mr. McCawley’s application for a Certified Building Contractor's license was denied at the August 2015 meeting of the Board for failure to demonstrate required experience, pursuant to Florida Statute 489.119. The Notice of Intent to Deny was filed in September of 2015. Mr. McCawley timely requested board reconsideration.

After discussion, the Board voted to vacate the denial and approved a downgrade to a Certified Residential Contractor’s license.

JOSEPH MCCOY – REQUEST FOR INFORMAL HEARING

Mr. McCoy was not present, counsel present.

Mr. Dolan presented this case stating Mr. McCoy’s application a Certified General Contractor's license was denied at the June 2015 meeting of the Board for failure to demonstrate required experience, pursuant to Florida Statute 489.119. The Notice of Intent to Deny was filed in July of 2015. Mr. McCawley timely requested board reconsideration. At the meeting the applicant requested that the Notice of Intent to Deny be vacated and that he be allowed to withdraw his application

After discussion, the Board voted to vacate the previous denial, and allow the applicant to withdraw

JOSE MANUEL OJEDA – PETITION FOR VARIANCE & WAIVER

Mr. Ojeda was not present.

Mr. Dolan presented this case stating that Mr. Ojeda filed a petition for Variance or Waiver on October 1, 2015. The petition was noticed in the Florida Administrative Register on October 9, 2015. Mr. Dolan noted the petitioner asks the Board for a variance from or a waiver of four year duration of validity of examination scores.
After discussion, the Board voted to deny the petition because the petitioner did not demonstrate that the petition was in substantial compliance with the requirements of a petition for variance or waiver and that the petition was legally insufficient.

RAINIER RODRIGUEZ – REQUEST FOR INFORMAL HEARING

Mr. Rodriguez was present.

Mr. Dolan presented this case stating Mr. Rodriguez’s application for change of status for Certified Class B Air Conditioning Contractor’s license was denied at the September 2015 meeting of the Board for failure to demonstrate the required experience for a Certified class B air conditioning contractor’s license, and the applicant failed to demonstrate the required experience in the licensure classification at the hearing or through the submission of additional information. The Notice of Intent to Deny was filed in October of 2015. Mr. Rodriguez timely requested board reconsideration.

After discussion, the Board voted to uphold the denial

JOHN SENNINGER – PETITION FOR DECLARATORY STATEMENT

Mr. Senninger was not present.

Mr. Dolan presented this case stating that Mr. Senninger filed a petition for Declaratory Statement on June 23, 2015. The petition was noticed in the Florida Administrative Register on October 22, 2015. Mr. Dolan noted the petitioner asks the Board what the licensing requirements are to mechanically install permanent conveyor systems in Florida.

After discussion, the board voted to decline to answer because the petitioner is not a substantially affected party and does not have standing to request a declaratory statement, and because the petition does not relate to a particular set of circumstances.

SHANE TOW – REQUEST FOR INFORMAL HEARING

Mr. Tow was present with counsel.

Mr. Dolan presented this case stating Mr. Tow’s application for change of status for Certified Roofing Contractor’s license was denied at the August 2015 meeting of the Board for failure to demonstrate the required experience for a Certified Roofing Contractor’s license pursuant to section 489.111, F.S., and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in September of 2015. Mr. Tow timely requested board reconsideration.

After discussion, the Board voted to vacate the denial and approve the application.

STEVE WEAVER – REQUEST FOR INFORMAL HEARING

Mr. Weaver was not present.

Mr. Dolan presented this case stating Mr. Weaver’s application for a Certified General Contractor’s license was denied at the September 2015 meeting of the Board for failure to demonstrate the required experience for a certified general contractor’s license, and the applicant failed to demonstrate the
required experience in the licensure classification and failed to demonstrate the ability to supervise the
construction work and business activities of the organization at the hearing through submission of
additional information. The Notice of Intent to Deny was filed in October of 2015. Mr. Weaver timely
requested board reconsideration.

After discussion, the Board voted to uphold the denial.

RYAN WELLS – REQUEST FOR INFORMAL HEARING

Mr. Wells was present.

Mr. Dolan presented this case stating Mr. Wells’ application for a Certified Commercial Swimming
Pool/Spa Contractor's license was denied at the April 2015 meeting of the Board for the applicant
having open enforcement, and the application was not further reviewed. The Notice of Intent to Deny
was filed in June of 2015. Mr. Wells timely requested board reconsideration.

After discussion, the Board voted to grant the applicant a 60 day continuance

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Christopher Cobb

Mr. Cobb gave the following report:

A BUILDERS LICENSE TRAINING INSTITUTE
1st course:  7 hr Manage your Way to Big Profits: approved

BUILDING OFFICIALS AND INSPECTORS EDUCATIONAL ASSOCIATION (BOIEA)
1st course:  Additions in the Floodplain: approved
2nd course: Business Practices: approved
3rd course: Coastal A Zones and the Florida Building Code: approved
4th course: Elevation Certificate and the Florida Building Code: approved
5th course: Floodplain and the Florida Building Code 5th Edition: approved
6th course: Floodplain Requirements of the Florida Building Code - Mechanical and Plumbing 5th
Edition: approved
7th course: Florida Building Code – Building Foundations: approved
8th course: Florida Building Code – Building Roofing: approved
9th course: Florida Building Code – Building Trusses, Joists, Rafters and Components: approved

contingent
10th course: Florida Building Code – Building Windows, Doors, Glass and Glazing: approved
11th course: Florida Building Code – Framing: approved
12th course: Florida Building Code – Mechanical Refrigeration: approved
13th course: Florida Building Code – Mechanical Significant Changes to the 5th Edition: approved
14th course: Florida Building Code – Plumbing – Fixtures and Faucets: approved
16th course: Florida Building Code – Plumbing – Roof Drainage: approved
17th course: Fog Effect Systems: approved
18th course: Fuel Tanks and the Florida Building Code: approved
19th course: Laws and Rules: approved
20th course: Wind Mitigation: approved
21st course: Workers’ Compensation: approved
22nd course: Workplace Safety Scaffolds: approved

FLORIDA POOL & SPA ASSOCIATION DBA FLORIDA SWIMMING POOL ASSOCIATION
1st course: Commercial Sub-Contract Agreements: approved
2nd course: Prescription Opioid Abuse: Risk Factors and Solutions: approved

INFORMA EXHIBITIONS US CONSTRUCTION AND REAL ESTATE INC
1st course: Air Retarders, Vapor Retarders and Attic Ventilation: approved
2nd course: Beyond Tarps – “Blue Roof” Technologies for Roof Storm Water Management: approved
3rd course: Can Vapor Retarders Address the Problems from Moisture in Concrete Roof Decks?: approved
4th course: Changing your Safety Culture through Voluntary Protection Programs (VPP): denied
5th course: Does your Company have Hidden Labor Saving Opportunities?: denied
6th course: Don’t be on the Wrong Side of Regulatory Requirements Just because you want a Good Roof: denined
7th course: Energy Efficient Commercial Roof Deduction: denied
8th course: Five Key Contract Provisions Needed to Defend OSHA Citations: approved
9th course: What Professionals Need to Know to Create a Sustainable Roofing System using Insulation and Attachments: denied
10th course: How to Professionally Document your Repairs: approved
11th course: New Hire Orientation – How to Get their New Career Off to a Safe Start: denied
12th course: Performance of Selected Secondary Sealing in Resisting the Entry of Wind Driven Rain (Steep Slope): approved
13th course: Personal Fall Arrest Systems – Ensuring that they Work!: approved
14th course: PMA vs. Oxidized Asphalt for Shingles: approved
15th course: Privacy and Security Breaches in the Construction Industry: Understanding and Prevention: approved
16th course: Project Specific Considerations for the Roof: approved
17th course: Roof System Recycling: Opportunities and Challenges: approved
18th course: The Reality of Cash Flow: denied
19th course: The Rise of Property Drone Utilization for Roofing: denied
20th course: TPO Weathering: denied
21st course: Understanding Metal Roofing – Part II: approved
22nd course: Understanding Metal Roofing – Part I: approved
23rd course: What are the Greatest Risks of Major Liability Exposure for Roofing Contractors…and what can Contractors do to Reduce those Risks?: approved

MECHANICAL CONTRACTORS ASSOCIATION OF SOUTH FLORIDA
1st course: Getting the Job: Powerful Presentations: approved
2nd course: Knowing the Score: Using Key Performance Indicator: approved
3rd course: Small Business Accounting & Tax Workshop: approved

NATIONAL COMFORT INSTITUTE INC
1st course: Commercial System Performance I: contingent approval
2nd course: Commercial System Performance II: contingent approval
PACEPDH.COM DBA OF THE MEDIA FACTORY INC
1st course: Refrigerants: **approved**
2nd course: Women in the Construction Workplace: Providing Equitable Safety and Health Protection: **approved**

PGT INDUSTRIES INC

PINCH A PENNY INC
1st course: Clean, Clear and No More Green: **contingent approval**
2nd course: Saltwater Chlorination: **contingent approval**

REDEVECTOR.COM INC
1st course: Concrete Standards and Requirements (RV-10835): **approved**
2nd course: Construction Project Delivery Systems (RV-10891AW): **approved**
3rd course: Designing and Specifying Pervious Concrete (RV-10873AW): **approved**
4th course: Essentials of Quality Concrete (RV-10833): **approved**
5th course: Handling, Placing and Finishing Concrete (RV-10834): **approved**
6th course: Hazardous Waste: Treatment (RV-10857): **approved**
7th course: Parking Lot Design: Elements of Design (RV-10903AW): **approved**
8th course: Parking Lot Design: Essentials (RV-10832AW): **approved**
9th course: Parking Lot Design: Parking Studies (RV-10877AW): **approved**
10th course: Understanding Concrete’s Environmental Advantage (RV-10870): **approved**
11th course: Principles of Design Build (RV-10892AW) pg. 43: **approved**

TITAN CONTINUING EDUCATION INC
1st course: 2016 – 2017 Live Seminar #1: **contingent approval**
2nd course: 2016 – 2017 Live Seminar #2: **approved**
3rd course: Environmental Regulations & Risk Management for Contractors: **approved**

With nothing further to report the board voted to approve this report.

RULES/PUBLIC/LEGISLATIVE COMMITTEE – JACKIE WATTS

Mr. Dolan gave the following report:

61G4-15.032: Certification of Swimming Pool Specialty Contractors
- The intent of the change is to show that a pool contractor as defined in chapter 489, F.S. isn’t limited because they do not hold a specialty swimming pool license- the specialty licenses are subsets of the pool licenses in chapter 489, F.S.
- Language Approved
- No financial impacts- no SERC needed
- Public comment: Fred Dudley and Bruce Kershner

61G4-15.001: Qualification for Certification
- Will be published soon

61G4-12.006: Approved Form; Incorporation
• Repeal adopted 11/17/2015

With nothing further to report the board voted to approve this report.

RECOVERY FUND COMMITTEE – Rick Kane

Mr. Kane gave the following report:

Britton vs. Youmans; Claim No. 2008-013796: $20,000.00
Polzin vs. Marsella; Claim No. 2014-011770- motion to vacate FO: vacated Final Order
Thorogood vs. Sullivan; Claim No. 2010-007536: denied
Swan vs. DiRoma; Claim No. 2014-031612 – reconsideration: denied
Wellington vs. Ford; Claim No. 2014-035779 – continued from August 2015: $50,000.00
Nakonechny vs. Cuniff; Claim No. 2014-019807- reconsideration: denied
Alston vs. Foltz; Claim No. 2011007536: denied
Moore vs. Warner; Claim No. 2008-011983: $50,000.00
DeOliveira vs. Requejo; Claim No. 2015-022637: $7,700.00
Langer vs. Guyitt; Claim No. 2015-034172: $34,150.61
Sdankus vs. DiSimone; Claim No. 2015-031034: $44,582.45

With nothing further to report the board voted to approve this report.

OLD BUSINESS
Removal of old materials from laptop.

NEW BUSINESS
With no further business the meeting was adjourned at 11:39am.